

## The Honorable Tana Lin

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
CAMERON JOHN WAGENIUS,  
Defendant.

NO. CR24-232 TL

## **PROTECTIVE ORDER**

This matter comes before the Court on a Stipulated Motion for Protective Order. The Court GRANTS the motion and hereby enters the following order:

## **PROTECTIVE ORDER**

## Background

1. Pursuant to Federal Rule of Criminal Procedure 16(d)(1), this Protective Order governs all discovery material in any format (written or electronic) that is produced by the government in the above-captioned case.

2. The discovery in this case is voluminous and includes materials and documents that contain personally identifiable information (“PII”), victim material, electronic contraband, and law enforcement sensitive material related to ongoing investigations.

1                   a. PII includes, but is not limited to, information such as payment card  
 2 numbers, cell phone international mobile equipment identity numbers, Social Security  
 3 numbers, identification card numbers, dates of birth, addresses, email addresses, passwords,  
 4 bank account numbers, and personal identification numbers.

5                   b. Victim material includes, but is not limited to, information, files or data  
 6 believed to the property of potential victims possessed by the defendant without  
 7 authorization.

8                   c. Electronic contraband includes, but is not limited to, malware and  
 9 surveillance files generated by malware, other malicious scripts, stolen account numbers and  
 10 passwords, internal network information, and non-public Internet Protocol addresses of  
 11 servers which contain, or which there is a reasonable basis to believe contain, any of the  
 12 information, files or data related to PII, electronic contraband, or victim material.

13                  d. Law enforcement sensitive material includes, but is not limited to,  
 14 communications, reports, and other materials that relate to ongoing investigations or ongoing  
 15 matters occurring before the grand jury, any statements given by any cooperating witnesses,  
 16 and documents evincing any agreement to cooperate by any such witnesses.

17                  3. Redacting the discovery to delete the above material would be technically  
 18 difficult and time-consuming and would substantially delay the disclosure of discovery to the  
 19 defendant.

## 20 **Restrictions on Use of All Materials**

21                  4. Access to all discovery material will be restricted to the Defense Team with the  
 22 limited exceptions discussed below. “Defense Team” shall be limited to attorneys of record  
 23 for the defendant in this case and any of the following people working on this matter under  
 24 the supervision of the attorneys of record: attorneys, investigators, paralegals, law clerks,  
 25 testifying and consulting experts, legal assistants, and administrative staff. For purposes of  
 26 this Order, “Defense Team” does not include the defendant. Defendant’s attorneys shall  
 27 inform any member of the Defense Team to whom disclosure of discovery material is made

1 of the existence and terms of this Protective Order. The Defense Team shall not provide  
 2 copies of any discovery material to any persons outside of the Defense Team, except as  
 3 specifically set forth below.

4       5. The Defense Team shall retain copies of discovery material, except as  
 5 discussed below in Paragraph 7. The Defense Team shall use discovery material produced by  
 6 the government only for the purpose of preparing a defense to the charges in this action and  
 7 for no other purpose. The Defense Team may review discovery material with witnesses for  
 8 purposes of hearing or trial preparation. The Defense Team is aware that some of the  
 9 discovery material may contain malware or other pernicious files.

10      6. In the event the defense seeks utilization of the discovery material in  
 11 any court filing, at trial or in another hearing in this matter, the defense agrees to confer with  
 12 the government to ensure that any sensitive data is redacted from the  
 13 discovery prior to its use. Any filings shall be filed in compliance with Rule 49.1  
 14 of the Federal Rules of Criminal Procedure and the Electronic Filing Policies and Local  
 15 Criminal Rules of the United States District Court for the Western District of Washington.

16      7. Defense counsel may provide discovery to the defendant, subject to the  
 17 following conditions:

18           a. The defendant shall use discovery material only for the purpose of  
 19 assisting the Defense Team with preparing a defense to the charges in this action;

20           b. The defendant may not provide copies of the discovery material to any  
 21 third party and may only review the discovery material alone or in the presence of the  
 22 Defense Team; and

23           c. If the defendant is detained, then the defendant shall only be permitted  
 24 to review his copy of the discovery material in facilities approved by the Bureau of Prisons  
 25 for this purpose, on Bureau of Prisons-approved computers, or in hard copies maintained by  
 26 Bureau of Prisons staff while not in use by the defendant.

1           **Sensitive Protected Material**

2           8. If the government determines providing any specific material to the defendant  
 3 would raise serious security, operational, privacy, or other concerns, even in light of the  
 4 other provisions of this Protective Order, the government may designate that material as  
 5 “Sensitive Protected Material.” Sensitive Protected Material will be subject to the terms of  
 6 this Protective Order with the additional requirement that Sensitive Protected Material may  
 7 only be possessed by the Defense Team. The Defense Team may not provide copies of the  
 8 Sensitive Protected Material to any other person, including the defendant. This Order,  
 9 however, does not prohibit the Defense Team from discussing or reviewing Sensitive  
 10 Protected Material with the defendant or prospective witnesses.

11          9. If the Defense Team disagrees with the designation of any material as  
 12 “Sensitive Protected Material,” it shall notify the government in writing of the disagreement,  
 13 identify with particularity each document and file at issue, and state the basis for the  
 14 challenge.

15          10. The Defense Team, at any time after attempting to resolve the matter by  
 16 agreement with the government, may apply by motion to the Court for a ruling that  
 17 information designated as “Sensitive Protected Material” is not entitled to protected  
 18 treatment under this Order. Any such motion must identify with particularity each document  
 19 and file at issue and state the basis for the challenge.

20          11. Any “Sensitive Protected Material” that is filed with the Court in connection  
 21 with pretrial motions, trial, sentencing or other matters shall be filed under seal and shall  
 22 remain sealed until otherwise ordered by this Court, unless otherwise agreed upon by the  
 23 parties. The parties are required to comply in all respect with the relevant local and federal  
 24 rules of criminal procedure pertaining to the sealing of court documents.

25           **Additional Provisions**

26          12. This Protective Order may be modified as necessary by filing with the Court a  
 27 Stipulated Order Modifying the Protective Order, or by order of the Court.

13. This order does not limit personnel of the U.S. Attorney's Office for the Western District of Washington from disclosing the Protected Material to members of the U.S. Attorney's Office, federal law enforcement agencies, and to the Court and defense as necessary to comply with the government's discovery obligations.

14. Nothing in this Order should be construed as imposing any substantive discovery obligations on the government or the defendant that is different from those imposed by case law, Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal Rules.

15. This Protective Order will cover any additional defendants in this case so long as they agree to be bound by the terms of this Protective Order and so indicate that consent by the execution of a supplemental stipulation, which shall be filed as an addendum or supplement to this Protective Order.

16. The provisions of this Order shall not terminate at the conclusion of this prosecution.

SO ORDERED.

Dated: January 13th, 2025

Tana Lin  
Tana Lin  
United States District Judge

## Presented by:

/s/Sok Tea Jiang  
SOK TEA JIANG  
Assistant United States Attorney

1     /s/George S. Brown  
2     GEORGE S. BROWN  
3     Trial Attorney

4     /s/James Lee Bright  
5     JAMES LEE BRIGHT  
6     Counsel for Cameron John Wagenius

7     /s/Adam Stuart Heyman  
8     ADAM STUART HEYMAN  
9     Counsel for Cameron John Wagenius

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27